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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/636,299	08/10/2000	Moshe B Rubin	21939-05111	6533

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EXAMINER

MAHMOUDI, HASSAN

ART UNIT	PAPER NUMBER
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2175

DATE MAILED: 09/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/636,299

Applicant(s)

RUBIN ET AL.

Examiner

Tony Mahmoudi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133):
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2,5, 7-9.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

SAM RIMELL
PRIMARY EXAMINER

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1, 5-8, 10, 14-17, and 19-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Ranganathan (U.S. Patent No. 5,754,170.)

As to claims 1 and 19, Ranganathan teaches a method for preventing copying of proprietary digital image data that is rendered within a window displayed on a computer monitor, comprising:

providing screen pixel data for rendering on a computer monitor (see column 5, line 64 through column 6, line 8), the screen pixel data including pixel data for a first window having proprietary digital image data therewithin (see column 4, lines 10-23);

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detecting that a second window is going to be displayed on the computer monitor (see column 7, lines 21-36);

determining the position and size of the second window (see column 8, lines 52-64);

determining, based on the position and size of the second window, a portion of the screen pixel data wherein the first window is going to be covered by the second window (see column 8, lines 44-51, and see column 10, lines 12-67); and

replacing the portion of the screen pixel data with substitute pixel data, prior to the second window being displayed (see column 14, lines 57-67.)

As to claims 5 and 14, Ranganathan teaches wherein the detecting detects that a new window is going to be opened (see column 7, lines 21-36.)

As to claims 6 and 15, Ranganathan teaches video graphic systems (see column 1, lines 8-10). It is inherent that in the video graphic system environment, the video graphic controller detects that an existing window is going to be enlarged.

As to claims 7 and 16, Ranganathan teaches video graphic systems (see column 1, lines 8-10). It is inherent that in the video graphic system environment, the video graphic controller detects that an existing window is going to be maximized.

As to claims 8 and 17, Ranganathan teaches video graphic systems (see column 1, lines 8-10). It is inherent that in the video graphic system environment, the video graphic

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controller detects that an existing window is going to be moved from behind the first window to in front of the first window, by activating the background window.

As to claims 10 and 20, Ranganathan teaches a system for preventing copying of proprietary digital image data that is rendered within a window displayed on a computer monitor, comprising:

a computer monitor on which screen pixel data is rendered (see figure 4), the screen pixel data including pixel data for a first window having proprietary digital image data therewithin (see column 4, lines 10-23);

an event detector detecting that a second window is going to be displayed on the computer monitor (see column 7, lines 21-36);

a window processor for determining the position and size of the second window (see column 8, lines 52-64), and for determining, based on the position and size of the second window, a portion of the screen pixel data wherein the first window is going to be covered by the second window (see column 8, lines 44-51, and see column 10, lines 12-67); and

a pixel processor for replacing the portion of the screen pixel data with substitute pixel data, prior to the second window being displayed (see column 14, lines 57-67.)

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2-4 and 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ranganathan (U.S. Patent No. 5,754,170) in view of Spilo et al (U.S. Patent No. 6,298,422.)

As to claims 2 and 11, Ranganathan does not teach further comprising the step of registering an application to include a system-wide hook in order to monitor window events occurring within a windows operating system, and wherein the detecting comprises receiving notification of a window event from the windows operating system.

Spilo et al teaches a memory reduction program in Windows operating system (see Abstract), in which he teaches registering an application to include a system-wide hook (see column 3, lines 48-67) in order to monitor window events (see column 4, lines 14-27, and see column 5, lines 27-59) occurring within a windows operating system (see column 9, lines 7-8), and wherein the detecting comprises receiving notification of a window event from the windows operating system (see column 10, lines 20-22.)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Ranganathan to include registering an application to include a system-wide hook in order to monitor window events occurring within a windows operating system, and wherein the detecting comprises receiving notification of a window event from the windows operating system.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Ranganathan by the teachings of Spilo et al, because

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registering an application to include a system-wide hook in order to monitor window events occurring within a windows operating system, and wherein the detecting comprises receiving notification of a window event from the windows operating system, would enable the system to operate within the Windows operating system and utilize the system-wide hooks made available by Windows.

As to claims 3 and 12, Ranganathan as modified teaches wherein the system-wide hook is a Windows CBT hook (see Spilo et al, column 3, lines 48-67.)

As to claims 4 and 13, Ranganathan as modified teaches herein the system-wide hook is a Windows CallWndProc hook (see Spilo et al, column 3, lines 48-67.)

5. Claims 9 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ranganathan (U.S. Patent No. 5,754,170) in view of Sugiyama et al (U.S. Patent No. 6,289,137.)

As to claims 9 and 18, Ranganathan does not teach wherein the substitute pixel data is white pixel data.

Sugiyama et al teaches an image processing apparatus and method (see Abstract), in which he teaches wherein the substitute pixel data is white pixel data (see column 7, lines 25-27.)

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Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Ranganathan to include wherein the substitute pixel data is white pixel data.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Ranganathan by the teaching of Sugiyama et al, because wherein the substitute pixel data is white pixel data, would prevent the image density as a whole from becoming dense, as taught by Sugiyama et al (see column 7, lines 28-31.)

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents are cited to further show the state of art with respect to methods and systems of copy protections on images in general:

Patent/Pub. No.	Issued to	Cited for teaching
US 5,805,724	Metcalf et al.	Image processing using dynamic screens.
US 5,790,117	Halviatti et al.	CBT based program testing.

7. Any inquiries concerning this communication or earlier communications from the examiner should be directed to Tony Mahmoudi whose telephone number is (703) 305-4887. The examiner can normally be reached on Mondays-Fridays from 08:00 am to 04:30 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici, can be reached at (703) 305-3830.

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August 27, 2003



SAM RIMELL
PRIMARY EXAMINER